

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

UNITED STATES OF AMERICA )  
                                  )  
                                  )  
vs.                           )          CR NO: 05cr166-F  
                                  )  
                                  )  
JORGE GOMEZ                  )

**ORDER**

On 3 August 2005, the public defender has indicated to the court that the defendant, JORGE GOMEZ, has retained counsel. Therefore, it is

ORDERED that the order setting the detention hearing for 4 August 2005 is VACATED.

Pending this hearing, the defendant shall be held in custody by the United States Marshal.

Because the defendant's retained counsel, Al Alvarez, Esq., does not regularly practice in this district and is purportedly located in Texas, the court declines to set another date for the detention hearing until counsel and the United States Attorney agree on their availability for a specific date and time for the hearing. The court is presently available to conduct this hearing on (1) 9 August at 10:00 a.m. or 2:00 p.m., or (2) 10 August at 10:00 a.m. or 2:00 p.m. Accordingly, it is further

ORDERED that on or before 5 August 2005, counsel shall advise the court in writing of all parties' and lawyers' availability for the hearing.

DONE this 3<sup>rd</sup> day of August, 2005.

/s/ Vanzetta Penn McPherson  
VANZETTA PENN MCPHERSON  
UNITED STATES MAGISTRATE JUDGE

